

b.) Remarks

The claims have been amended in order to recite the present invention with the specificity required by statute. No new matter has been added.

Claims 15-16 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to distinctly claim the subject matter applicant regards as the invention. In response, claims 15 and 16 have been amended so as not to recite SEQ ID NOS:5 or 21.

Claims 1-3 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by "Ohta et al." It was unclear to the undersigned what reference "Ohta" referred to but the Examiner, on March 31, 2004, confirmed that such was intended to be "Porro" U.S. Patent No. 5,652,211. The Examiner confirmed he is relying on Porro's SEQ ID NO:13 at column 3 and 4. In response, the claims have been amended to clarify that the claims are not intended to encompass cyclic peptides with 5 or more consecutive lysine residues. Accordingly, this rejection is overcome.

Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Hardy et al. Synthesis and Oxidation of Some L-Cysteinyl-Proglycyl-L-Cysteines., Pept., Proc. Eur. Pept. Symp., 11<sup>th</sup> (1973) 384-7. This rejection, too, is mooted by the above amendment which clarifies that claim 17 does not encompass cyclic peptides with five consecutive glycine residues.

In view of the above amendments and remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

Claims 1-17 remain presented for continued prosecution.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence S. Perry", is written over a horizontal line.

Attorney for Applicants  
Lawrence S. Perry  
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

LSP\ac

NY\_MAIN 425389v1